

103D CONGRESS  
2D SESSION

# H. R. 3907

To direct the Secretary of Health and Human Services to carry out a demonstration project under which physicians providing services to individuals entitled to benefits under the medicare program will receive regular information on charges submitted by and payments made to other providers who furnish services to such individuals.

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## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 24, 1994

Mr. KREIDLER introduced the following bill; which was referred jointly to the Committees on Ways and Means and Energy and Commerce

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## A BILL

To direct the Secretary of Health and Human Services to carry out a demonstration project under which physicians providing services to individuals entitled to benefits under the medicare program will receive regular information on charges submitted by and payments made to other providers who furnish services to such individuals.

1        *Be it enacted by the Senate and House of Representa-*  
2   *tives of the United States of America in Congress assembled,*

1 SECTION 1. ESTABLISHMENT OF DEMONSTRATION  
2 PROJECT ON MEDICARE REFERRAL RE-  
3 PORTS.

4 (a) IN GENERAL.—Not later than January 1, 1995,  
5 the Secretary of Health and Human Services (hereafter  
6 in this Act referred to as the “Secretary”) shall establish  
7 a demonstration project under which, with respect to pro-  
8 viders of physicians’ services for which payment may be  
9 made under part B of title XVIII of the Social Security  
10 Act within the designated area of the project, the Sec-  
11 retary shall periodically furnish a medicare referral report  
12 (as described in subsection (b)) to the provider on any in-  
13 dividual entitled to benefits under such title to whom the  
14 provider furnishes such services during the period the  
15 project is in effect (subject to subsection (c)). The Sec-  
16 retary shall furnish such reports upon the request of a  
17 provider of physicians’ services under such title and at  
18 such other times as the Secretary may consider appro-  
19 priate.

20 (b) MEDICARE REFERRAL REPORT DESCRIBED.—

21 (1) IN GENERAL.—In this section, a “medicare  
22 referral report” means, with respect to an individual,  
23 a report (in such format as the Secretary may estab-  
24 lish) containing the following information:

25 (A) Any item or service furnished to the  
26 individual during the period the project is in ef-

1           fect for which payment may be made under title  
2           XVIII of the Social Security Act.

3           (B) The identity of the individual or entity  
4           furnishing such item or service.

5           (C) The illness, injury, or condition (in-  
6           cluding any applicable diagnostic code) on  
7           which the furnishing of the item or service is  
8           based.

9           (D) The amount of payment made for the  
10          item or service under such title.

11          (E) The amount of charges submitted to  
12          the Secretary with respect to the item or service  
13          (if any) by the individual or entity furnishing  
14          the item or service.

15          (2) FORMAT.—A medicare referral report shall  
16          be provided in such electronic and printed formats  
17          as the Secretary may establish, and shall be fur-  
18          nished to a provider in the format the provider  
19          specifies.

20          (c) PATIENT CONSENT REQUIRED.—

21               (1) IN GENERAL.—No medicare referral report  
22          may be furnished under the project with respect to  
23          information relating to any individual unless the in-  
24          dividual has provided written consent to the Sec-

1       retary (in such form as the Secretary may require)  
2       for the reporting of such information.

3               (2) RENEWAL OF CONSENT.—The Secretary  
4       may limit the period for which the consent provided  
5       pursuant to paragraph (1) shall be effective and es-  
6       tablish a process under which an individual may  
7       renew the consent for an additional period.

8       (d) CONSULTATION REQUIREMENT.—In carrying out  
9       this Act, including the selection of the areas in which the  
10      demonstration project will be carried out, the development  
11      of formats for medicare referral reports, and the provision  
12      of orientation and training services under section 2, the  
13      Secretary shall consult with representatives of primary  
14      care and other health professionals, hospitals and nursing  
15      homes, medicare beneficiaries, health maintenance organi-  
16      zations and other managed care providers, and health data  
17      collectors.

18   **SEC. 2. ORIENTATION AND TRAINING ON USE OF REFER-**  
19                           **RAL REPORTS.**

20       In carrying out the demonstration project established  
21      under section 1, the Secretary shall provide orientation  
22      and training services to assist providers of physicians'  
23      services who are participating in the project in using the  
24      medicare referral reports to effectively manage patient  
25      care, including information regarding limitations on the

- 1 usefulness of such reports in making clinical decisions or
- 2 evaluating the effectiveness of treatments.

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